

**Decision Memorandum on Action and for Application of:
Categorical Exclusion 1.13
Bangs Fire Complex Rehabilitation
CX-AZ-130-2005-0068
US Department of the Interior
Bureau of Land Management
Arizona Strip District,
Grand Canyon – Parashant National Monument and
Arizona Strip Field Office
Mohave County, Arizona**

Description of Proposed Action and Purpose and Need for the Action

The Proposed Action is to repair, replace, or reconstruct, within the existing project site or “footprint,” grazing, wildlife, and recreation infrastructure damaged by the Bangs Fire Complex. The infrastructure includes 6 miles of fence, 2 corrals, 2 wildlife water catchments, and 30 road signs. Where applicable, rehabilitation efforts will employ the project-specific stipulations that guided the original construction of each project.

The Purpose and Need for the action:

The need to manage livestock grazing, especially use area and numbers, so as not to adversely impact Emergency Stabilization seeded vegetation, vegetative cover, soil stability, and compaction.

The need to detect any invasion of noxious weeds.

The need to ensure existing permitted uses are authorized in accordance with applicable terms and conditions.

The need to provide wildlife waters where they existed prior to the fire, and manage livestock grazing so as not to adversely impact wildlife habitat.

The need to provide the visiting public with the same level of information as prior to the fire.

The need to protect Monument objects, especially cultural resources.

Location of the Proposed Action

The proposed project will be implemented within the perimeter of the Mt. Bangs Fire. The fire burned within the Grand Canyon – Parashant National Monument and Arizona Strip Field Office. The burned area runs southwest to northeast and generally runs southwest from the corral at the mouth of Elbow Canyon to the Lime Kiln road, up and over Lime Kiln Pass, then southeast to Brumley Well, northeast along Tom and Cull Canyon, past Cottonwood Spring, and northwest, back to the corral at the mouth of Elbow Canyon. (See Appendix 1 for legal description of fire.)

Plan Conformance

The proposed action has been reviewed for conformance with the Arizona Strip District Resource Management Plan (1992), as amended in 1997 (Arizona Statewide Land Use Plan Amendment for Standards of Rangeland Health), 1998 (Mojave Desert Amendment) and 2003 (Arizona Statewide Land Use Plan Amendment for Fire, Fuels and Air Quality). The proposed action is in conformance with the RMP.

“WS01 Manage vegetation cover towards ecological stability and sound long-term protective soil cover using mechanical, chemical, biological or fire as tools for accomplishment.”

The proposed action has also been reviewed for conformance with the Grand Canyon – Parashant National Monument Proclamation (2000). The proposed action is in conformance with the Proclamation.

“Protection of cultural, social, biological, and physical resources for which the Monument was created will remain the highest priority in planning and management.”

“Conservation and restoration of a habitat mosaic that supports sustainable levels of a full range of native species, including predators, will be emphasized.”

The proposed action has been reviewed for conformance with the Grand Canyon – Parashant National Monument Interim Management Policy (2000). The proposed action is in conformance with the Interim Management Policy.

“Livestock Grazing: Where applicable, livestock grazing within the Monument is permitted, pursuant to the terms of existing permits and leases. Continue to ensure the implementation of Standards and Guidelines for Rangeland Improvement in the Monument.”

“Noxious Weeds/Exotic Species: Existing noxious weed control activities should continue. Exotic Species should not be introduced, unless doing so is essential to control noxious weeds or other undesirable species.”

“Off-road Vehicles: For the purpose of protecting the objects identified in the Proclamation, no areas in the Monument should be authorized for cross-country, off-road vehicular use, except for authorized administrative and emergency purposes.”

Compliance with the National Environmental Policy Act

The Proposed Action is categorically excluded from further documentation under the National Environmental Policy Act (NEPA) in accordance with 516 DM 2, Appendix 1, 1.13.

1.13 - Post-fire rehabilitation activities, infrastructure repairs, do not exceed 4,200 acres. Such activities: All activities are consistent with agency and Departmental procedures and applicable land and resource management plans; do not include the use of herbicides or pesticides or the construction of new permanent roads or other new permanent infrastructure; and will be completed within three years following containment of the Bangs Fire Complex or August 1st, 2008.

The application of this categorical exclusion is appropriate in this situation because there are no extraordinary circumstances potentially having effects which may significantly affect the environment. See the Exceptions Review Table, below. None of the exceptions apply. These extraordinary circumstances are contained in 516 DM 2, Appendix 2.

I considered the fact that activities will be conducted in Critical Desert Tortoise Habitat. There is no potential for significant effects nor adverse effects to Desert Tortoise, as a biological clearance will proceed any on-the-ground activities, and all activities will be conducted during the inactive season for the desert tortoise.

Persons and Agencies Consulted

Luke Thompson, Arizona Game and Fish Department, participated as an Interdisciplinary Team member, during the development of the Purpose and Need and Proposed Action.

Decision and Rationale on Action

I have decided to implement the proposed action, as described. A Cultural Program Review Report, as well as a Biological Clearance will be completed prior to any on the ground activities. All on the ground activities will take place during the inactive season of the Mojave Desert Tortoise (October 15th through March 15th). The locations of fence, corral and water catchment repairs appear on the Bangs Fire Complex Project Rehab maps for the Bangs fire. These actions meet the purpose and need for action. In addition, I have reviewed the plan conformance statement and have determined that the proposed action is in conformance with the approved land use plan, with amendments, the Monument Proclamation and Interim Management Guidelines, and that no further environmental analysis is required.

Measures will be taken to avoid impacts to cultural resources. No work will be started before a cultural resource inventory has been completed and any sites found, evaluated and a suitable mitigative treatment applied to minimize impact to any cultural resource. Such sites would include rock art, wooden structures or features. If in connection with this work any human remains, funerary objects, sacred objects, or objects of cultural patrimony as defined in the Native American Graves Protection Act are discovered, the operation would cease in the area of discovery. The discovery would be protected and operations would not resume until authorized by the Field Manager or Monument Manager.

Implementation Date

This project will be implemented on or after October 11, 2005.

Dennis Curtis
Monument Manager

Date

Becky Hammond
Arizona Strip Field Manager

Date

Administrative Review or Appeal Opportunities

This decision may be appealed, in accordance with 43 CFR 4.21, within 30 days of the date of the decision. Any notice of appeal must be filed in this office at the address below; must be in writing and clearly state the reasons the decision is in error. A petition for a stay of decision during the time an appeal is being reviewed by the authorized officer must accompany any notice of appeal. A petition for stay is required to show sufficient justification based on the following standards:

- (1) The relative harm to the parties if the stay is granted or denied,
- (2) The likelihood of the appellant's success on the merits,
- (3) The likelihood of immediate and irreparable harm if the stay is not granted, and
- (4) Whether the public interest favors granting the stay.

Appeal must be filed at the following address:

Rob Roudabush, District Manager
Arizona Strip District Office
345 East Riverside Drive
St. George, UT 84790

Contact Person

For additional information concerning this decision, contact

Kathleen Harcksen, Rehabilitation Team Lead
Grand Canyon – Parashant National Monument
345 East Riverside Drive
St. George, UT 84790
(435) 688-3380

APPENDIX 1.

**BANGS FIRE COMPLEX REHABILITATION CX
LEGAL DESCRIPTION
Gila and Salt River Meridian**

T. 39 N., R.15 W.

SECTIONS

8 W $\frac{1}{2}$ SE $\frac{1}{4}$, NWSE, SW $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$
17 SE $\frac{1}{4}$, NE $\frac{1}{4}$, N $\frac{1}{2}$ NW $\frac{1}{4}$, SENW, E $\frac{1}{2}$ SW $\frac{1}{4}$
21 S $\frac{1}{2}$, S $\frac{1}{2}$ NW $\frac{1}{4}$, NWNW, S $\frac{1}{2}$ NE $\frac{1}{4}$, NWNE
20 ALL
19 SE $\frac{1}{4}$, S $\frac{1}{2}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$, SWSW
30 ALL
29 ALL
28 ALL
27 S $\frac{1}{2}$, W $\frac{1}{2}$ NW $\frac{1}{4}$, SENE
26 W $\frac{1}{2}$ NW $\frac{1}{4}$, SENW, SW $\frac{1}{4}$
25 S $\frac{1}{2}$ SW $\frac{1}{4}$
36 W $\frac{1}{2}$ NW $\frac{1}{4}$, NENW, NWSW

T. 39 N., R.16 W.

SECTIONS

36 E $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$, SWSW
25 SESE

T. 38 N., R.16 W.

SECTIONS

1 ALL
2 E $\frac{1}{2}$ NE $\frac{1}{4}$, SWNE, SE $\frac{1}{4}$, S $\frac{1}{2}$ SW $\frac{1}{4}$
9 NE $\frac{1}{4}$, SE $\frac{1}{4}$, N $\frac{1}{2}$ NW $\frac{1}{4}$, SENW, E $\frac{1}{2}$ SW $\frac{1}{4}$
10 S $\frac{1}{2}$, NW $\frac{1}{4}$, S $\frac{1}{2}$ NE $\frac{1}{4}$
11 ALL
12 ALL
13 ALL
14 ALL
15 ALL
16 E $\frac{1}{2}$, E $\frac{1}{2}$ NW $\frac{1}{4}$, E $\frac{1}{2}$, SW $\frac{1}{4}$
21 E $\frac{1}{2}$, E $\frac{1}{2}$ NW $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$
22 ALL
23 ALL
24 ALL
25 ALL
26 ALL
27 ALL
34 E $\frac{1}{2}$, E $\frac{1}{2}$ NW $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$
35 ALL
36 ALL

T. 38 N., R. 15 W.

SECTIONS

2 W $\frac{1}{2}$ NW $\frac{1}{4}$, NENW

3	N ½, N ½ SW ¼, SWSW
4	ALL
5	ALL
6	ALL
7	ALL
8	ALL
9	ALL
10	W ½ NW ¼, NWSW
16	N ½ NE ¼, SWNE, E ½ NW ¼, NWNW
17	NE ¼, NW ¼, SW ¼, N ½ SE ¼, SWSE
18	ALL
19	ALL
20	W ½, W ½ NE ¼
29	W ½ NW ¼, NENW, NWSE
30	ALL
31	ALL

T. 37 N., R.16 W.

SECTIONS

1	ALL
2	ALL
3	E ½, E ½ NW ¼, E ½ SW ¼
10	NENE
11	N ½ NE ¼, SENE, N ½ NW ¼
12	NE ¼, NW ¼, SE ¼, E ½ SW ¼
13	NE ¼

T. 37 N., R.15 W.

SECTIONS

6	N ½, N ½ NE ¼, SWNE, NWSE
7	W ½ SW ¼, W ½ NW ¼, NENW